

1 Joseph R. Saveri, (130064)
2 JOSEPH SAVERI LAW FIRM
3 505 Montgomery St., Suite 625
4 San Francisco, CA 94111
5 Telephone: (415) 500-6800
6 Facsimile: (415) 395-9940
7 jsaveri@saverilawfirm.com

8 Daniel R. Shulman (MN 100651)
9 GRAY, PLANT, MOOTY, MOOTY & BENNETT
10 500 IDS Center
11 80 South 8th Street
12 Minneapolis, MN 55402
13 Telephone: (612) 632-3335
14 Facsimile: (612) 632-4335
15 daniel.shulman@gpmlaw.com

16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

200
210
220
230
240
250
260
270
280
290
300
310
320
330
340
350
360
370
380
390
400
410
420
430
440
450
460
470
480
490
500
510
520
530
540
550
560
570
580
590
600
610
620
630
640
650
660
670
680
690
700
710
720
730
740
750
760
770
780
790
800
810
820
830
840
850
860
870
880
890
900
910
920
930
940
950
960
970
980
990
1000
1010
1020
1030
1040
1050
1060
1070
1080
1090
1100
1110
1120
1130
1140
1150
1160
1170
1180
1190
1200
1210
1220
1230
1240
1250
1260
1270
1280
1290
1300
1310
1320
1330
1340
1350
1360
1370
1380
1390
1400
1410
1420
1430
1440
1450
1460
1470
1480
1490
1500
1510
1520
1530
1540
1550
1560
1570
1580
1590
1600
1610
1620
1630
1640
1650
1660
1670
1680
1690
1700
1710
1720
1730
1740
1750
1760
1770
1780
1790
1800
1810
1820
1830
1840
1850
1860
1870
1880
1890
1900
1910
1920
1930
1940
1950
1960
1970
1980
1990
2000
2010
2020
2030
2040
2050
2060
2070
2080
2090
2100
2110
2120
2130
2140
2150
2160
2170
2180
2190
2200
2210
2220
2230
2240
2250
2260
2270
2280
2290
2300
2310
2320
2330
2340
2350
2360
2370
2380
2390
2400
2410
2420
2430
2440
2450
2460
2470
2480
2490
2500
2510
2520
2530
2540
2550
2560
2570
2580
2590
2600
2610
2620
2630
2640
2650
2660
2670
2680
2690
2700
2710
2720
2730
2740
2750
2760
2770
2780
2790
2800
2810
2820
2830
2840
2850
2860
2870
2880
2890
2900
2910
2920
2930
2940
2950
2960
2970
2980
2990
3000
3010
3020
3030
3040
3050
3060
3070
3080
3090
3100
3110
3120
3130
3140
3150
3160
3170
3180
3190
3200
3210
3220
3230
3240
3250
3260
3270
3280
3290
3300
3310
3320
3330
3340
3350
3360
3370
3380
3390
3400
3410
3420
3430
3440
3450
3460
3470
3480
3490
3500
3510
3520
3530
3540
3550
3560
3570
3580
3590
3600
3610
3620
3630
3640
3650
3660
3670
3680
3690
3700
3710
3720
3730
3740
3750
3760
3770
3780
3790
3800
3810
3820
3830
3840
3850
3860
3870
3880
3890
3900
3910
3920
3930
3940
3950
3960
3970
3980
3990
4000
4010
4020
4030
4040
4050
4060
4070
4080
4090
4100
4110
4120
4130
4140
4150
4160
4170
4180
4190
4200
4210
4220
4230
4240
4250
4260
4270
4280
4290
4300
4310
4320
4330
4340
4350
4360
4370
4380
4390
4400
4410
4420
4430
4440
4450
4460
4470
4480
4490
4500
4510
4520
4530
4540
4550
4560
4570
4580
4590
4600
4610
4620
4630
4640
4650
4660
4670
4680
4690
4700
4710
4720
4730
4740
4750
4760
4770
4780
4790
4800
4810
4820
4830
4840
4850
4860
4870
4880
4890
4900
4910
4920
4930
4940
4950
4960
4970
4980
4990
5000
5010
5020
5030
5040
5050
5060
5070
5080
5090
5100
5110
5120
5130
5140
5150
5160
5170
5180
5190
5200
5210
5220
5230
5240
5250
5260
5270
5280
5290
5300
5310
5320
5330
5340
5350
5360
5370
5380
5390
5400
5410
5420
5430
5440
5450
5460
5470
5480
5490
5500
5510
5520
5530
5540
5550
5560
5570
5580
5590
5600
5610
5620
5630
5640
5650
5660
5670
5680
5690
5700
5710
5720
5730
5740
5750
5760
5770
5780
5790
5800
5810
5820
5830
5840
5850
5860
5870
5880
5890
5900
5910
5920
5930
5940
5950
5960
5970
5980
5990
6000
6010
6020
6030
6040
6050
6060
6070
6080
6090
6100
6110
6120
6130
6140
6150
6160
6170
6180
6190
6200
6210
6220
6230
6240
6250
6260
6270
6280
6290
6300
6310
6320
6330
6340
6350
6360
6370
6380
6390
6400
6410
6420
6430
6440
6450
6460
6470
6480
6490
6500
6510
6520
6530
6540
6550
6560
6570
6580
6590
6600
6610
6620
6630
6640
6650
6660
6670
6680
6690
6700
6710
6720
6730
6740
6750
6760
6770
6780
6790
6800
6810
6820
6830
6840
6850
6860
6870
6880
6890
6900
6910
6920
6930
6940
6950
6960
6970
6980
6990
7000
7010
7020
7030
7040
7050
7060
7070
7080
7090
7100
7110
7120
7130
7140
7150
7160
7170
7180
7190
7200
7210
7220
7230
7240
7250
7260
7270
7280
7290
7300
7310
7320
7330
7340
7350
7360
7370
7380
7390
7400
7410
7420
7430
7440
7450
7460
7470
7480
7490
7500
7510
7520
7530
7540
7550
7560
7570
7580
7590
7600
7610
7620
7630
7640
7650
7660
7670
7680
7690
7700
7710
7720
7730
7740
7750
7760
7770
7780
7790
7800
7810
7820
7830
7840
7850
7860
7870
7880
7890
7900
7910
7920
7930
7940
7950
7960
7970
7980
7990
8000
8010
8020
8030
8040
8050
8060
8070
8080
8090
8100
8110
8120
8130
8140
8150
8160
8170
8180
8190
8200
8210
8220
8230
8240
8250
8260
8270
8280
8290
8300
8310
8320
8330
8340
8350
8360
8370
8380
8390
8400
8410
8420
8430
8440
8450
8460
8470
8480
8490
8500
8510
8520
8530
8540
8550
8560
8570
8580
8590
8600
8610
8620
8630
8640
8650
8660
8670
8680
8690
8700
8710
8720
8730
8740
8750
8760
8770
8780
8790
8800
8810
8820
8830
8840
8850
8860
8870
8880
8890
8890
8900
8910
8920
8930
8940
8950
8960
8970
8980
8990
9000
9010
9020
9030
9040
9050
9060
9070
9080
9090
9100
9110
9120
9130
9140
9150
9160
9170
9180
9190
9200
9210
9220
9230
9240
9250
9260
9270
9280
9290
9300
9310
9320
9330
9340
9350
9360
9370
9380
9390
9400
9410
9420
9430
9440
9450
9460
9470
9480
9490
9500
9510
9520
9530
9540
9550
9560
9570
9580
9590
9600
9610
9620
9630
9640
9650
9660
9670
9680
9690
9700
9710
9720
9730
9740
9750
9760
9770
9780
9790
9800
9810
9820
9830
9840
9850
9860
9870
9880
9890
9890
9900
9910
9920
9930
9940
9950
9960
9970
9980
9990
10000
10010
10020
10030
10040
10050
10060
10070
10080
10090
100100
100101
100102
100103
100104
100105
100106
100107
100108
100109
100110
100111
100112
100113
100114
100115
100116
100117
100118
100119
100120
100121
100122
100123
100124
100125
100126
100127
100128
100129
100130
100131
100132
100133
100134
100135
100136
100137
100138
100139
100140
100141
100142
100143
100144
100145
100146
100147
100148
100149
100150
100151
100152
100153
100154
100155
100156
100157
100158
100159
100160
100161
100162
100163
100164
100165
100166
100167
100168
100169
100170
100171
100172
100173
100174
100175
100176
100177
100178
100179
100180
100181
100182
100183
100184
100185
100186
100187
100188
100189
100190
100191
100192
100193
100194
100195
100196
100197
100198
100199
100200
100201
100202
100203
100204
100205
100206
100207
100208
100209
100210
100211
100212
100213
100214
100215
100216
100217
100218
100219
100220
100221
100222
100223
100224
100225
100226
100227
100228
100229
100230
100231
100232
100233
100234
100235
100236
100237
100238
100239
100240
100241
100242
100243
100244
100245
100246
100247
100248
100249
100250
100251
100252
100253
100254
100255
100256
100257
100258
100259
100260
100261
100262
100263
100264
100265
100266
100267
100268
100269
100270
100271
100272
100273
100274
100275
100276
100277
100278
100279
100280
100281
100282
100283
100284
100285
100286
100287
100288
100289
100290
100291
100292
100293
100294
100295
100296
100297
100298
100299
1002000
1002001
1002002
1002003
1002004
1002005
1002006
1002007
1002008
1002009
10020010
10020011
10020012
10020013
10020014
10020015
10020016
10020017
10020018
10020019
10020020
10020021
10020022
10020023
10020024
10020025
10020026
10020027
10020028
10020029
100200200
100200201
100200202
100200203
100200204
100200205
100200206
100200207
100200208
100200209
100200210
100200211
100200212
100200213
100200214
100200215
100200216
100200217
100200218
100200219
100200220
100200221
100200222
100200223
100200224
100200225
100200226
100200227
100200228
100200229
100200230
100200231
100200232
100200233
100200234
100200235
100200236
100200237
100200238
100200239
100200240
100200241
100200242
100200243
100200244
100200245
100200246
100200247
100200248
100200249
100200250
100200251
100200252
100200253
100200254
100200255
100200256
100200257
100200258
100200259
100200260
100200261
100200262
100200263
100200264
100200265
100200266
100200267
100200268
100200269
100200270
100200271
100200272
100200273
100200274
100200275
100200276
100200277
100200278
100200279
100200280
100200281
100200282
100200283
100200284
100200285
100200286
100200287
100200288
100200289
100200290
100200291
100200292
100200293
100200294
100200295
100200296
100200297
100200298
100200299
1002002000
1002002001
1002002002
1002002003
1002002004
1002002005
1002002006
1002002007
1002002008
1002002009
10020020010
10020020011
10020020012
10020020013
10020020014
10020020015
10020020016
10020020017
10020020018
10020020019
10020020020
10020020021
10020020022
10020020023
10020020024
10020020025
10020020026
10020020027
10020020028
10020020029
100200200200
100200200201
100200200202
100200200203
100200200204
100200200205
100200200206
100200200207
100200200208
100200200209
100200200210
100200200211
100200200212
100200200213
100200200214
100200200215
100200200216
100200200217
100200200218
100200200219
100200200220
100200200221
100200200222
100200200223
100200200224
100200200225
100200200226
100200200227
100200200228
100200200229
100200200230
100200200231
100200200232
100200200233
100200200234
100200200235
100200200236
100200200237
100200200238
100200200239
100200200240
100200200241
100200200242
100200200243
100200200244
100200200245
100200200246
100200200247
100200200248
100200200249
100200200250
100200200251
100200200252
100200200253
100200200254
100200200255
100200200256
100200200257
100200200258
100200200259
100200200260
100200200261
100200200262
100200200263
100200200264
100200200265
100200200266
100200200267
100200200268
100200200269
100200200270
100200200271
100200200272
100200200273
100200200274
100200200275
100200200276
100200200277
100200200278
100200200279
100200200280
100200200281
100200200282
100200200283
100200200284
100200200285
100200200286
100200200287
100200200288
100200200289
100200200290
100200200291
100200200292
100200200293
100200200294
100200200295
100200200296
100200200297
100200200298
100200200299
1002002002000
1002002002001
1002002002002
1002002002003
1002002002004
1002002002005
1002002002006
1002002002007
1002002002008
1002002002009
10020020020010

I. INTRODUCTION

Pursuant to the March 4, 2013, Order Setting Initial Conference, Daniel R. Shulman, Esq., and Gray, Plant, Mooty, Mooty & Bennett, P.A. (collectively “Gray Plant”) hereby apply to the Court to be appointed to the Plaintiffs’ Steering Committee for direct purchaser plaintiffs in MDL 2420, as provided in ¶ 6(b) of the March 4 Order.¹ This application is made in conjunction with and in support of the application of Joseph Saveri and the Joseph Saveri Law Firm for appointment to the Plaintiffs’ Steering Committee. Mr. Shulman and Mr. Saveri have conferred and agreed that they would like to be appointed and serve together on the Plaintiffs’ Steering Committee.

Hereafter, this application will address the specific matters referred to in ¶ 6(b) of the March 4 Order.

II. APPLICATION

(a) Willingness and Availability to Commit to a Time-Consuming Project

Obviously, in making this application, Gray Plant represents that it has both the willingness and availability to commit whatever time and resources are required for this project. Perhaps the best evidence of this is the commitment Gray Plant has made in 3:07-md-01827-SI, *In Re TFT-LCD (Flat Panel) Antitrust Litigation*, before Judge Susan Illston of this Court, which is now drawing to a close for Gray Plant's clients, the indirect purchaser plaintiff class ("IPPs").² Gray Plant began representing the IPPs in mid-2007 and through

¹ The Complaint in this case was filed on March 28, 2013. The case was assigned to Magistrate Judge Nathanael Cousins. The claims alleged in the Complaint are identical to the claims of the complaints in the actions consolidated in this MDL—a price-fixing conspiracy by manufacturers of Lithium Ion Batteries in violation of Section 1 of the Sherman Act, 15 U.S.C. §1. On April 1, 2013, plaintiffs filed a motion with this Court to relate this case to this MDL proceeding and the cases consolidated hereunder. On March 29, 2013, prior to being able to make ECF filings, plaintiffs provided this Court with an advance copy of this Application, so that the Court would be aware of plaintiffs’ intention to seek appointment to the Plaintiffs’ Steering Committee. Plaintiffs also electronically provided copies of their Application to those counsel, who plaintiffs knew to be interested in the appointment of the Plaintiffs’ Steering Committee, including: Francis O. Scarpulla; Rick Saveri; Joseph J. Tabacco, Jr.; Simon, Bruce L.; Retana, Robert G.; Fastiff, Eric B; Steve Williams; Jason Zweig; Craig C. Corbitt; Christopher T. Micheletti; Judith Zahid; and Patrick Clayton.

² On March 29, 2013, Judge Illston entered her Order Granting Final Approval of Combined Class, Parens Patriae and Governmental Entity Settlements with AUO, LG Display, and Toshiba Defendants: Final Judgment of Dismissal with Prejudice; Award of Attorneys' Fees, Expenses, and Incentive Awards ("Flat Panel Final Judgment"), Document 7685 in MDL No. 1827. She entered an Amended Order Granting Final Approval of Combined Class, etc. on April 1, not materially different for purposes of this Application. Document 7688.

1 April of 2012 invested 8,447.90 billable hours resulting in a lodestar of \$3,349,892. Gray
 2 Plant also advanced costs in excess of \$750,000. These costs included \$500,000 in
 3 assessments, all that Gray Plant was asked to pay. Gray Plant paid each assessment at the
 4 time it was requested. In addition, Gray Plant incurred over \$250,000 in other expenses, for
 5 which it did not seek reimbursement from the settlements achieved in the case. These costs
 6 included expenses for 10 trips to Asia for Mr. Shulman to take depositions of key witnesses
 7 and other trips in the United States for depositions and other matters.

8 Gray Plant is prepared, willing, and available to make at least a similar commitment to
 9 the prosecution of this case on behalf of the direct purchaser plaintiff class (“DPPs”). Gray
 10 Plant consists of approximately 165 attorneys with its main office in Minneapolis, Minnesota,
 11 and other offices in St. Cloud, Minnesota, and Washington, D.C. Attached hereto as Exhibit
 12 A is descriptive material regarding Gray Plant. Attached hereto as Exhibit B is the current
 13 curriculum vitae of Mr. Shulman.

14 **(b) Ability to Work Cooperatively with Others**

15 Again, the best evidence of Gray Plant’s ability to work cooperatively with others
 16 comes from In Re TFT-LCD (Flat Panel) Antitrust Litigation, where for more than five years
 17 Gray Plant in fact worked cooperatively not only with other counsel representing the IPPs, but
 18 also with counsel representing the DPPs, including specifically Mr. Saveri and Bruce Simon,
 19 who Gray Plant understands is also seeking appointment to the Plaintiffs’ Steering Committee
 20 in this case.³

21
 22

23 ³ Gray Plant understands that Mr. Simon’s firm and two other firms have urged the appointment of themselves
 24 to a three-member Plaintiffs’ Steering Committee, and represented that their application resulted from a
 25 consensus of counsel in 23 of 25 direct purchaser cases, many of which have been brought by these same firms.
 26 As the applications of Joseph Saveri and Gray Plant demonstrate, however, there is obviously not agreement on
 27 who should be appointed to the Plaintiffs’ Steering Committee, nor is there a justification in a case of this size
 28 for limiting the committee to only three firms. Certainly the scope of this litigation permits a Plaintiffs’ Steering
 Committee of five or more firms. Significantly, in the Flat Panel case, Judge Illston was presented with and
 rejected a similar joint application for appointment of a plaintiffs’ steering committee, which purported to be on
 behalf of a “consensus” group of counsel in 107 of 109 filed cases. (Documents 13-16; 92; 114;215; 221; 224 in
 3:07-md-01827-SI.) Finally, Gray Plant does not presume to tell the Court that any firm the Court deems
 qualified should be excluded from the Plaintiffs’ Steering Committee.

1 In this regard, Gray Plant respectfully directs the attention of the Court to the
 2 comments of Special Master Martin Quinn in the December 18, 2012, Supplemental Report
 3 and Recommendation of Special Master re Allocation of Attorneys' Fees in the Indirect-
 4 Purchaser Class Action ("Dec. 18 Report"), Document 7375 in 3:07-md-01827-SI, *In Re TFT-*
 5 *LCD (Flat Panel) Antitrust Litigation*. A copy is attached hereto as Exhibit C. In his report at
 6 page 7, Special Master Quinn notes "substantial cooperation between...Daniel Shulman of
 7 Gray, Plant Moody [sic]...and the Zelle firm," one of the co-lead counsel for the IPPs. At
 8 pages 23-24, Special Master states concerning the work of Mr. Shulman and Gray Plant:

9 By all accounts, Dan Shulman of this firm did a ***superb job in many important***
 10 ***aspects of the case***. He took the lead in many important depositions; he was
 11 intimately involved in discovery and pre-trial strategy; he personally prepared
 12 much of the input to pre-trial documents such as witness examinations, exhibit
 13 lists and the like. ***His rates and hours were strikingly economical....I have***
 14 ***reversed the 20% discount for his firm in view of his obvious efficiency***, and
 15 applied a multiplier of 3.73, for a revised award of \$12,500,000. This
 16 multiplier is the third highest of any firm, lower only than that for the Alioto
 17 and Zelle firms. It is fully justified... [Id., pp. 23-24; emphasis added.]⁴

18 The Special Master awarded Gray Plant a 3.73 multiplier of its lodestar, which fell
 19 within the highest tier of "five ranges of multipliers" established by the Special Master. He
 20 placed firms in particular tiers based on "the recommendation of lead and liaison counsel" and
 21 "the input I received, if any, about the firm's ***efficiency, skill, contribution to the litigation***
 22 ***fund, and accuracy of billing records***." *Id.*, p. 4; emphasis added. The fifth and highest
 23 range of multipliers, 3.24 to 4.24, was reserved for "lead and liaison counsel, and ***selected***

24

⁴ As the Court will see from the Dec. 18 Report, Special Master Quinn originally allocated a fee of \$14 million
 25 to Gray, Plant in a November 9, 2012, Report and Recommendation on the allocation of fees in the IPP case.
 26 Fifteen firms objected to his November 9 allocation. Gray Plant did not. In reviewing the 15 objections, the
 27 Special Master found merit to 11 of them and recommended that their fee allocations be increased. Because the
 28 Special Master had allocated the entire fee award in the November 9 Report, however, he "was obliged to rob
 Peter to pay Paul in order to find the funds" for these successful objectors. December 18 Report, p. 2. Gray
 Plant was a Peter robbed to pay Paul, as the Special Master reduced its fee to \$12.5 million. Gray Plant
 subsequently objected to the reduction. In the March 29 Flat Panel Final Judgment, Judge Illston sustained Gray
 Plant's objection and restored its fee to \$14 million. The Court commented, "***The Court is aware of the***
significant contribution Gray Plant has made to this litigation and notes that its contributions were all
substantive." (*Id.*, p. 21; emphasis added.) The same language appears at page 21 of the Amended Order of
 April 1.

1 ***outstanding contributors.***” *Id.*, p. 5; emphasis added. Only one firm, Gray, Plant, fell into
 2 the category of “selected outstanding contributors.”

3 Being a “contributor” carries with it the implication of being able to work well with
 4 others. Being an outstanding contributor implies an outstanding ability to work well with
 5 others. Gray Plant does not believe that any firm in the Flat Panel case would disagree with
 6 Gray Plant’s cooperation and contribution in that litigation, particularly in view of the result,
 7 total settlements of approximately \$1.1 billion, the largest settlement ever in an indirect
 8 purchaser antitrust class action, more than double the settlement realized by the direct
 9 purchaser class, for a geographic area roughly half the size of that in the DPP case.

10 **(c) Professional Experience in this Type of Litigation**

11 Gray Plant was founded in 1866 and is a large general practice firm. Mr. Shulman is a
 12 senior partner with 43 years of experience in antitrust, commercial, and civil rights litigation,
 13 as his curriculum vitae sets out. He has been lead or co-lead counsel in more than 100 trials
 14 and arbitrations, including numerous antitrust trials. He has also been lead or co-lead counsel
 15 in several hundred antitrust cases. His list of publications on antitrust and litigation issues is
 16 lengthy.

17 Here again, Gray Plant’s recent experience in the Flat Panel case is particularly
 18 relevant. Attached hereto as Exhibit D is Docket No. 6635, Exhibit 12: Declaration of Daniel
 19 R. Shulman in Support of Plaintiffs’ Application for Attorneys’ Fees and Incentive Awards
 20 (“Shulman Decl.”), which sets forth in detail the experience of Gray Plant and Mr. Shulman
 21 in that litigation. It shows that Mr. Shulman (1) was primarily responsible for final selection
 22 and pre-marking of exhibits used by the IPPs in discovery; (2) took the lead for the IPPs in
 23 numerous key depositions;⁵ (3) obtained stipulations establishing trial admissibility for
 24 hundreds of documents; (4) worked with the IPPs’ experts; (4) obtained admissions from
 25 defendants Hitachi and Sharp of the facts underlying their guilty pleas; (5) successfully
 26 argued against the defendants’ summary judgment motion premised on the Foreign Trade

27
 28 ⁵ These included depositions of 12 of the 16 defense witnesses the IPPs intended to call at trial.

1 Antitrust Improvements Act, 15 U.S.C. § 6a (“FTAIA”), the principal defense in the case; (6)
 2 took the lead in successfully opposing defense motions for summary judgment on restricting
 3 production and defendant Toshiba’s participation in the conspiracy; and (7) presented the
 4 IPPs’ case in two mock jury/research projects.

5 These activities are especially significant and pertinent to this litigation involving
 6 lithium-ion rechargeable batteries because (1) this case includes many of the same defendants,
 7 with which Gray Plant is already familiar; (2) a major defense will again be the FTAIA,
 8 where Gray Plant has demonstrated expertise and experience; (3) much of the discovery is
 9 likely to take place in Asia, where Mr. Shulman made ten trips to depose witnesses from a
 10 number of these companies in Flat Panel; (4) Gray Plant has demonstrated its ability to
 11 organize thousands of documents, many not originally in English, and prepare for and take
 12 depositions in a complex, multinational antitrust conspiracy case; and (5) Gray Plant has
 13 proven its ability to prepare and organize such a case for trial, and to present it cogently to a
 14 lay jury.

15 As Special Master Quinn found, Mr. Shulman of Gray Plant “did a superb job in many
 16 important aspects of the case. He took the lead in many important depositions; he was
 17 intimately involved in discovery and pre-trial strategy; he personally prepared much of the
 18 input to pre-trial documents such as witness examinations, exhibit lists and the like.” Dec. 18
 19 Report, p. 23. Moreover, this work was done at “rates and hours [that] were strikingly
 20 economical,” and demonstrated “obvious efficiency.” *Id.*

21 III. CONCLUSION

22 Gray Plant respectfully submits that “strikingly economical” rates and hours, “obvious
 23 efficiency,” and extensive prior experience with the legal and factual issues, parties, and
 24 counsel involved in the present litigation are highly desirable qualities and qualifications for
 25 the Plaintiffs’ Steering Committee in this case. Accordingly, Gray Plant respectfully requests
 26 that Mr. Shulman and Gray Plant be appointed with Mr. Saveri to the Plaintiffs’ Steering
 27 Committee.

1
Respectfully submitted,

2 Dated: April 1, 2013.

3
GRAY, PLANT, MOOTY, MOOTY &
BENNETT

4 By: s/Daniel R. Shulman
5 Daniel R. Shulman (MN 100651)
6 GRAY, PLANT, MOOTY, MOOTY &
7 BENNETT
8 500 IDS Center
9 80 South 8th Street
10 Minneapolis, MN 55402
11 Telephone: (612) 632-3335
12 Facsimile: (612) 632-4335
13 daniel.shulman@gpmlaw.com

14 JOSEPH SAVERI LAW FIRM
15 Joseph R. Saveri, (130064)
16 505 Montgomery St., Suite 625
17 San Francisco, CA 94111
18 Telephone: (415) 500-6800
19 Facsimile: (415) 395-9940
20 jsaveri@saverilawfirm.com

21 *Attorneys for Plaintiffs*

22 GP:3385835 v1